

106TH CONGRESS
1ST SESSION

H. R. 3330

To provide that certain sanctions against Pakistan cannot be waived until the President certifies that Pakistan has a democratically elected government.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 10, 1999

Mr. ROTHMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that certain sanctions against Pakistan cannot be waived until the President certifies that Pakistan has a democratically elected government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Support
5 for a Democratic Pakistan Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) on May 28, 1998, Pakistan conducted a
2 total of 5 nuclear tests, followed by a single nuclear
3 test on May 30, 1998, breaking its self-imposed
4 moratorium on nuclear testing;

5 (2) on May 30, 1998, the President imposed
6 economic and military sanctions on Pakistan, as
7 mandated by the Arms Export Control Act;

8 (3) Public Law 105–277 was approved by the
9 Congress on October 20, 1998, and signed by the
10 President on October 21, 1998, and gave the Presi-
11 dent the authority to waive certain economic sanc-
12 tions imposed on Pakistan;

13 (4) on November 7, 1998, in response to posi-
14 tive indications that Pakistan would address the
15 United States’ nuclear nonproliferation concerns, the
16 President used his authority under Public Law 105–
17 277 to ease sanctions against Pakistan;

18 (5) the President also gave United States sup-
19 port to emergency lending to Pakistan by the Inter-
20 national Monetary Fund, contingent on Pakistan
21 reaching agreement on a credible financial reform
22 program;

23 (6) Pakistani troops ousted Prime Minister
24 Nawaz Sharif and his duly elected government on
25 Tuesday, October 12, 1999; and

1 (7) the coup d’etat which occurred in Pakistan
2 on October 12, 1999, effectively erases much of the
3 progress made by Pakistan toward addressing the
4 United States’ nuclear nonproliferation concerns and
5 seriously compromises the grounds upon which sanc-
6 tions were initially waived.

7 **SEC. 3. LIMITATION ON EXERCISE OF WAIVER AUTHORITY**
8 **WITH RESPECT TO PAKISTAN.**

9 (a) BILATERAL SANCTIONS.—Notwithstanding any
10 other provision of law, the President may not waive, with
11 respect to Pakistan, the application of any sanction con-
12 tained in section 101 or 102 of the Arms Export Control
13 Act (22 U.S.C. 2799aa, 2799aa–1), section 2(b)(4) of the
14 Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(4)),
15 or section 620E(e) of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2375(e)), until the President certifies to the
17 Congress that Pakistan has a democratically elected gov-
18 ernment.

19 (b) IFI SANCTIONS.—The Secretary of the Treasury
20 shall direct the United States Executive Director at the
21 International Monetary Fund, the International Bank for
22 Reconstruction and Development, the International Devel-
23 opment Association, the International Finance Corpora-
24 tion, and the Multilateral Investment Guarantee Agency
25 to use the voice and vote of the United States at each

1 institution to oppose the provision of assistance in any
2 form for any project in Pakistan, until the President cer-
3 tifies to the Congress that Pakistan has a democratically
4 elected government.

5 **SEC. 4. REQUIREMENTS FOR PRESIDENTIAL DETERMINA-**
6 **TION.**

7 For purposes of section 3, a democratically elected
8 government in Pakistan is a government which—

9 (1) results from free and fair elections in which
10 opposition parties were permitted ample time, oppor-
11 tunity, and freedom to organize and campaign for
12 such elections;

13 (2) is showing respect for the basic civil lib-
14 erties and human rights of the people of Pakistan;
15 and

16 (3) is committed to ensuring regular free and
17 fair elections and the full enjoyment of basic civil
18 liberties and human rights by the people of Paki-
19 stan.

20 **SEC. 5. NATIONAL SECURITY WAIVER.**

21 The President may waive the applicability of section
22 3 if the President determines that it is in the national
23 security interests of the United States to do so.

○